IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 15436 of 2007(K)

PETITIONER:

G.RAVINDRAN PILLAI, SENIOR GRADE TYPIST,
OFFICE OF THE DRUGS INSPECTOR,
PATHANAMTHITTA.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY SECRETARY TO GOVT. HEALTH DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DRUGS CONTROLLER, OFFICE OF THE DRUGS CONTROLLER, KERALA, THIRUVANANTHAPURAM.

3. THE DRUGS INSPECTOR, OFFICE OF THE DRUGS INSPECTOR, PATHANAMTHITTA.

4. S. REMA DEVI, U.D.TYPIST, OFFICE OF THE DRUGS CONTROLLER, KERALA, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/05/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO.15436 of 2007-K

Dated this the 23rd day of May, 2007

JUDGMENT

The petitioner, a Senior Grade Typist in the office of the Drugs Inspector, Pathanamthitta has been transferred to the office of the Drugs Controller, Thiruvananthapuram by Ext.P2 order of the second respondent dated 18-5-2007. According to the petitioner, he has been transferred out only to accommodate the 4th respondent who has not completed even six months' service in the present station, Thiruvananthapuram. Kollam is petitioner's home station. The transfer is causing serious inconvenience to him, it is submitted. The petitioner points out that he has already filed Ext.P1 representation praying that he may be given transfer to Kollam and if the same is not possible, he may be retained atleast at Pathanamthitta. Without considering that request, the present order has been passed. Therefore, he seeks to quash Ext.P2 order.

2. This Court can interfere with a transfer order if only it is shown to be illegal or vitiated by malafides. I find no such

ground has been made out in the writ petition. The petitioner has already completed 4 years of service at Pathanamthitta and therefore, he is liable to be transferred out. He is not concerned whether an eligible person or ineligible person comes there. The petitioner has not pleaded who has been accommodated or retained at Kollam to which place he sought transfer. Further, Thiruvananthapuram cannot be said to be a very inconvenient place.

In view of the above position, I find no reason to interfere with Ext.P2. Accordingly, the writ petition is dismissed. This will not affect the rights, if any, of the petitioner to represent against Ext.P2.

K.BALAKRISHNAN NAIR,
JUDGE.

MS